



DEPARTMENT OF THE NAVY

BOARD FOR CORRECTION OF NAVAL RECORDS

2 NAVY ANNEX

WASHINGTON DC 20370-5100

TJR

Docket No: 1586-00

28 August 2000

[REDACTED]

Dear [REDACTED]:

This is in reference to your application for correction of your naval record pursuant to the provisions of Title 10, United States Code, Section 1552.

A three-member panel of the Board for Correction of Naval Records, sitting in executive session, considered your application on 9 August 2000. Your allegations of error and injustice were reviewed in accordance with administrative regulations and procedures applicable to the proceedings of this Board. Documentary material considered by the Board consisted of your application, together with all material submitted in support thereof, your naval record, and applicable statutes, regulations, and policies.

After careful and conscientious consideration of the entire record, the Board found the evidence submitted was insufficient to establish the existence of probable material error or injustice.

The Board found you reenlisted in the Navy on 21 November 1975 after three years of prior active service in the Naval Reserve. Your record reflects that you continued to serve for two years and four months without disciplinary incident but on 1 March 1978 you received nonjudicial punishment (NJP) for absence from your appointed place of duty and disobedience. The punishment imposed was restriction for 10 days and reduction to paygrade E-2. On 16 October 1978 you received NJP for assault and battery and were awarded a \$75 forfeiture of pay.

Your record further reflects that on 19 April and 18 July 1981 you received NJP for one day of unauthorized absence (UA), disobedience, and absence from your appointed place of duty.

Subsequently, you were processed for an administrative separation by reason of unsuitability due to apathy, defective attitudes, and an inability to expend efforts effectively. The discharge authority directed your commanding officer to issue you a general discharge under honorable conditions by reason of unsuitability, and on 22 September 1981 you were so discharged.

authority directed your commanding officer to issue you a general discharge under honorable conditions by reason of unsuitability, and on 22 September 1981 you were so discharged.

Character of service is based, in part, on conduct and overall trait averages which are computed from marks assigned during periodic evaluations. Your conduct average was 2.8. An average of 3.0 in conduct was required at the time of your separation for a fully honorable characterization of service.

The Board, in its review of your entire record and application, carefully weighed all potentially mitigating factors, such as your prior honorable service and your contention that you would like your discharge upgraded. The Board further considered your contention that your reason for separation, as cited on your Certificate for Release or Discharge from Active Duty (DD Form 214) is incorrect because you were not processed for discharge by reason of unsuitability due to alcohol abuse. However, the Board concluded these factors were not sufficient to warrant recharacterization of your discharge given the serious nature of your frequent misconduct, which resulted in four NJPs, and since your conduct average was insufficiently high to warrant a fully honorable discharge. Further, the Board noted the correction to your DD Form 214, which indicates that you were discharged by reason of unsuitability due to apathy, defective attitude, and inability to expend effort effectively. A copy of this correction, DD Form 215, is enclosed for your information and retention. Given all the circumstances of your case, the Board concluded your discharge was proper as issued and no change is warranted. Accordingly, your application has been denied.

The names and votes of the members of the panel will be furnished upon request.

It is regretted that the circumstances of your case are such that favorable action cannot be taken. You are entitled to have the Board reconsider its decision upon submission of new and material evidence or other matter not previously considered by the Board. In this regard, it is important to keep in mind that a presumption of regularity attaches to all official records.

Consequently, when applying for a correction of an official naval record, the burden is on the applicant to demonstrate the existence of probable material error or injustice.

Sincerely,

W. DEAN PFEIFFER  
Executive Director

Enclosure

0017.3

CAUTION: NOT TO BE USED FOR  
IDENTIFICATION PURPOSESANY ALTERATIONS IN SHADED AREAS  
RENDER FORM VOID

1. NAME (Last, first, middle) [REDACTED]		2. DEPARTMENT, COMPONENT AND BRANCH NMPC-036d:DER:teh:U.S. NAVY	3. SOCIAL SECURITY NO. (Also, Service Number if applicable) [REDACTED]
4. MAILING ADDRESS (Include ZIP Code) [REDACTED]			
5. ORIGINAL DD FORM 214 WAS CORRECTED AS INDICATED BELOW			
ITEM NO.	CORRECTED TO READ		
26.	SEPARATION DATE ON DD FORM 214 BEING CORRECTED - 22 Sep 81		
28.	J UNSUITABILITY - APATHY DEFECTIVE ATTITUDES, AND INABILITY TO EXPEND EFFORT EFFECTIVELY		
BY DIRECTION OF THE COMMANDER, NAVAL MILITARY PERSONNEL COMMAND <i>W. R. Sommer</i> FINISH FILE NMPC 0001			
6. DATE 10 Dec 81	7. TYPED NAME, GRADE, TITLE AND SIGNATURE OF OFFICIAL AUTHORIZED TO SIGN W. R. SOMMER Special Assistant		

DD FORM 215  
1 JUL 79  
S/N 0102-LF-000-2150PREVIOUS EDITIONS  
OF THIS FORM ARE  
OBSOLETE.CORRECTION TO DD FORM 214, CERTIFICATE OF RELEASE OR  
DISCHARGE FROM ACTIVE DUTY

SERVICE - 2